

**BYLAWS
OF
THE UTAH STATE BOARD OF EDUCATION (USBE)
COALITION OF MINORITIES ADVISORY COMMITTEE
(CMAC)**

As Amended and Approved by CMAC membership on May 25, 2006

**ARTICLE I
Name**

Section 1 The name of the Committee shall be The Utah State Board of Education (USBE) Coalition of Minorities Advisory Committee (CMAC), hereinafter referred to as **CMAC**.

**ARTICLE II
Purposes of CMAC**

Section 1 **Purpose:** To be an effective advocacy group for the educational needs of ethnic minority students, CMAC shall:

- A. Provide information and consult with the USBE, its offices and other public and private groups concerned with the provision of educational services to ethnic minority students, and do so at all levels of the decision-making process as education decisions are formulated, and in facilitation of future education directions.
- B. Establish and maintain contact with persons, groups, or associations having an interest in the welfare of ethnic minority students, as well as continuous interaction with the USOE, to remain knowledgeable and informed relative to public and private interests in education.
- C. Discuss and collaborate with USBE regarding Utah's efforts to provide appropriate services, especially the activities of the USOE.
- D. Collaborate with the USOE to assist and/or provide information and concerns to Local Education Agencies (LEA) in order to help insure the implementation of laws and policies.
- E. Establish task forces and "working committees" as needed.

Section 2 **Committee Function or Operation**

- A. Contact among CMAC, the community at large and the USBE shall be done in the following ways:

1. Each member of CMAC is responsible to bring concerns and issues to CMAC.
 2. Each member of CMAC is responsible for exchanging information with advocacy groups, local advisory committees, etc.
 3. The Chairperson of CMAC or designee of the Chairperson is responsible for receiving agency reports.
 4. The Chairperson represents CMAC at USBE meetings.
 5. Only the Chair or the Chair's designee may speak on behalf of CMAC.
- B. CMAC members shall formulate recommendations under rules and policies of the USBE regarding significant issues in the education of ethnic minority students and communicate such recommendations to the USBE making it the responsibility of each committee member to raise issues which relate to his/her area of responsibility; giving input for position papers, publications, and policy recommendations.
- C. CMAC members shall provide information, act as a resource, and provide advice to the USOE in its efforts to assure the provision of appropriate services to ethnic minority students by, but not limited to:
1. Funding proposals
 2. Formulation of Program Plans to be submitted to the United States Department of Education
 3. Development of the reports and recommendations that the USBE presents to the State Legislature.
- D. CMAC shall assist the USBE by reviewing and making recommendations concerning the need for new or updated legislation, rules and guidelines affecting ethnic minority students in Utah.
- E. CMAC shall receive appropriate information from USOE Staff regarding programs, budget, and issues involving ethnic minority students.

Section 3 Expenses

- A. The provisions for allowable expenses incurred by CMAC members in carrying out the duties of the committee shall be in accordance with policy set forth by the USOE.
- B. USOE shall provide CMAC authorized secretarial services.

ARTICLE III

Membership

Section 1 Membership:

- A. All members of CMAC shall be appointed by the USBE with recommendations proposed by CMAC and other community organizations and representatives.
- B. Appointment process:
 - 1. (On-going) Community organizations and/or individual community members may submit names of individuals that are logged into a pool of CMAC nominees. The USBE shall approve all names to be included in the pool, prior to their addition to the pool.
 - a. This submission of names can take place at anytime.
 - b. CMAC members simultaneously receive a copy of the confidential pool of names submitted to the USBE, so that, individually, they have the opportunity to submit any comments on any of the names in the pool.
 - 2. Each time there is a vacancy on CMAC, a name is taken from the pre-approved USBE pool of nominees, from which the USBE then approves as a short-list of nominees for CMAC appointment. This short list considers gender, profession, ethnicity and geographic criteria, to maintain diversity on CMAC.
 - 3. USBE formally appoints the required number of names to fill in the CMAC vacancies. The individuals approved are notified by the USBE of their respective appointments and length of appointment. Length of appointment is determined by the USBE.
 - a. CMAC members will simultaneously receive a copy of each appointment letter from the USBE.
 - 4. USBE formally appoints new CMAC members. These new members will immediately be forwarded the CMAC meeting schedule that indicates the meetings they are required to attend.
- C. CMAC membership shall include at least three representatives from each of the following groups: American Indian, African American/Black, Asian American, Hispanic/Latino American and Pacific Islander American. CMAC shall make an effort to assure that at least one CMAC member is a parent of an ethnic minority student.
- D. As membership is developed, consideration should be given to:
 - 1. An appropriate balance between professional groups and consumers;

2. Broad representation within the consumer-advocate groups to insure that the interests and points of view of various parents and advocates are represented;
3. Broad representation with professional groups (e.g., (a) regular education personnel, (b) educators, including teachers, teacher trainers, and administrators, who can properly represent various dimensions in the education of ethnic minority students, and (c) appropriate related services and personnel.
4. If the USBE continues to maintain a CMAC of 15 members, then CMAC should take steps to insure that it (1) consults with and receives input from various consumer and special interest professional groups, and (2) establishes committees for particular short-term purposes composed of representatives from various groups.

Section 2 Term of Service

- A. The term of appointment for members shall be for two years commencing from the date of formal USBE appointment until ending date of the anniversary of the appointment.
- B. The term of office for elected officers - the Chairperson and Chair-elect - shall be two years; the period is from January 1 to December 31.
- C. Four consecutive, unexcused absences of a member from regular CMAC meetings may result in a request from the *CMAC Executive Committee* to the USBE to name a replacement.

ARTICLE IV Officers and Duties

Section 1 General

- A. Elected officers of CMAC shall be a Chairperson and a Chair-Elect. The Chair-Elect shall assume the position of Chairperson at the end of the Chairperson's term.
 1. Officers shall be elected by a simple majority of the members present at the regularly scheduled meeting.
 2. The Chairperson shall call and preside at all meetings, appoint all task force Chairpersons and establish an executive committee with the approval of CMAC.
 3. The Chair-Elect shall serve in the absence of the Chairperson.
- B. Task forces and working committees shall be established for specific tasks and for a designated time period.

Section 2 The Executive Committee

- A. Shall consist of the Chairperson, Chair-Elect, and the immediate past Chairperson of CMAC, and three members of the CMAC body. Consideration should be given to balance the membership of the executive committee to assure representation of the various CMAC ethnic groups.
- B. Shall meet at the call of the Chairperson to discuss and conduct appropriate business for CMAC and act on behalf of CMAC when the CMAC committee is not convened.
- C. Shall report all activities at regularly scheduled CMAC meetings; review all activities and the recommendations of task forces and working committees.

Section 3 Chairperson

- A. Shall schedule meetings for CMAC and task forces.
- B. Shall develop meeting agenda with the Executive Committee and with assistance from the State Educational Equity Section Coordinator as needed.
- C. Shall preside at all meetings of the Advisory Committee and Executive Committee.
- D. Shall appoint three members to the executive committee with the approval of CMAC, and consideration given to balance the membership of the executive committee to assure representation of the various groups.
- E. Shall establish task force and working committees with the approval of CMAC.
- F. Shall assure that all members of task forces are reported at the succeeding CMAC meeting and that recommended action is recorded.
- G. Shall assure that Advisory Committee minutes are completed and mailed to members and other appropriate recipients no later than twenty (20) calendar days after each meeting.
- H. Shall serve a two year term as a non-voting member of the Utah State Board of Education (USBE), attend all regularly scheduled monthly USBE meetings, and attend any other meetings as invited by the Board.
- I. Shall report to the USBE as requested.
- J. The Chairperson of CMAC, or, in his/her absence, the Chair-Elect or the designee of the Chairperson, is the only member of the committee authorized to speak publicly for CMAC and then only in accordance with CMAC actions.

Section 4 Task Forces and Working Committees

- A. Shall report on current activities at CMAC meetings.
- B. Shall draft recommendations for discussion and vote of the CMAC Committee. The Chairperson of the task force or working committee co-presents the recommendations to USBE with the Chairperson of CMAC.
- C. Shall report all activities by task forces or working committees when the total committee reconvenes or at the CMAC meeting immediately following the task force meeting and are recorded.
- D. Committee Membership shall be determined by the Executive Committee, and may include representatives from the field as well as from CMAC.
- E. Shall be given a definition of tasks and timelines.
- F. May reconvene to address such needs as:
 - 1. Progress Reports to the USBE
 - 2. Nominations for Chair Elect and new CMAC members
 - 3. Legislation
 - 4. Planning for CMAC annual workshop
 - 5. Other issues as determined by CMAC

ARTICLE V Meetings and Voting

Section 1 Meetings

- A. All CMAC meetings shall be open to the public.
- B. CMAC shall hold monthly meetings, unless a meeting is canceled by mutual agreement of CMAC members. The time and place of regular meetings are determined by the Executive Committee annually, in cooperation with the USOE.
- C. Special meetings may be called by the Chairperson as necessary.
- D. CMAC members shall be notified by first class mail of the time and place of regular meetings at least 7 days prior to the time of the meeting.
- E. CMAC can be called in Executive Session at anytime by its Chair.

Section 2 Voting

- A. A quorum shall be a simple majority of CMAC voting members.
- B. Upon request, the vote of each member shall be recorded.
- C. Proxy voting shall not be permitted at any CMAC meetings.

**ARTICLE VIII
Amendments**

Section 1 Amendments

- A. These Bylaws may be amended by a simple majority of CMAC membership at a regular meeting, and then be submitted to the Utah State Board of Education, as needed.
- B. Amendments to the Bylaws must be submitted in writing to the members at least 30 days prior to the scheduled regular meeting.

**ARTICLE IX
General Provisions and participation**

Section 1 Provisions

- A. Roberts Rules of Order, Revised, shall prevail if there is any conflict on these By-Laws with the Parliamentary Procedures.
- B. Nothing in these By-Laws shall be construed to take precedence over federal, state, or local laws or regulations or constrain the rights or obligations of the units of the state government.
- C. CMAC meetings are open to the public, unless properly closed consistent with Utah Code: Section 52-4-4.

Section 2 Participation

- A. Participation in meetings shall be limited to CMAC members with the following exceptions:
 - 1. Regularly scheduled agenda items that call for reports or participation of non-members.
 - 2. Comments or other participation by non-members relevant to the matter under consideration, with the consent of the committee members present.

ARTICLE X LIABILITY

Section 1 Defense, Indemnification and Workers Compensation Coverage

- A. The members of the CMAC are volunteers to the State of Utah, the USBE, the USOE and CMAC, and as such are subject to the restrictions and protections provided by the Utah State Volunteer Government Workers Act UCA 67-20. The members of the CMAC are considered to be approved volunteers so long as they are functioning within the scope of their formally established duties and responsibilities.

ARTICLE XI ENACTMENT AGREEMENTS

These By-Laws shall become effective five (5) days after approval by two-thirds (2/3) vote of the membership, voting thereon after due notice to the membership.